

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Sabine Neiryndck)	PATENT
)	
Serial No.:	09/498,046)	Attorney Docket
)	VIB-103.0
Filing Date:	February 4, 2000)	(1769/97843)
)	
For:	NEW IMMUNOPROTECTIVE)	
	INFLUENZA ANTIGEN AND)	Group Art No.
	ITS USE IN VACCINATION)	1648
)	
Examiner:	Stacy Brown Chen)	

SUPPLEMENTAL INFORMATION
DISCLOSURE STATEMENT

Mail Stop AMENDMENTS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Information Disclosure Statement supplements the Information Disclosure Statement already on file for this application by providing additional art that may be material to the prosecution of this application that has come to the attention of the applicants and was inadvertently not provided previously. The enclosed art has come from various sources including an Opposition proceeding in the European Patent Office and prosecution of the parental application in Canada and in Japan.

The documents listed on the attached Form PTO/SB/08B as F1-F4 are additional art and Ex. A are Declarations that may be material to the prosecution of this application that were provided during the European Opposition. Copies of documents F1-F4 are enclosed.

Also enclosed and noted on Form PTO/SB/08B as documents F5-F7 are three documents received during prosecution of corresponding applications. Document F5 was received from the Canadian Patent Office, whereas documents F6 and F7 were received from the Japanese Patent Office (Document F7 is the US corresponding application of JP9503742 - "Immunogenic LHRH peptide construct and synthetic universal immune stimulator for vaccine" United Biomedical Inc.). A copy of the INPADOC search is enclosed to show the relationship.

No inferences should be drawn that the attached list represents a comprehensive investigation, or that any material disclosed is equivalent to the subject invention. In addition, none of the documents that have publication dates prior to the priority date of the above application anticipate the invention in this application.

The cited documents disclose numerous specific features. There has been no attempt to list each and every feature disclosed by each document. The Examiner is requested to review the documents and determine the extent of the materiality of the document disclosures with respect to the present invention.

The discussion of any art and the citation of any document herein is not to be construed as an admission that the art or document disclosure is necessarily within the invention

field of endeavor, that the art or document disclosure is necessarily prior in time to a particular date which may be relevant to the instant patent application, and/or that the art or document disclosure is otherwise necessarily prior art as defined by the patent law with respect to the instant invention and application.


Also, there is reserved the right to later set forth how the instant invention is distinguished over the disclosure of any document or other art, including the disclosures of the art and documents recited herein, that may be cited by the Examiner in rejecting a claim in the instant patent application.

The recitation herein of the art and documents is not to be construed as an assertion that more pertinent art could not possibly be in existence.

No further fee or petition is believed to be necessary in view of the subject application having recently been refilled as an RCE. However, should any further fee be needed, please charge our Deposit Account No. 23-0920, and deem this paper to be the required petition.

The Examiner is requested to phone the undersigned should any questions arise that can be dealt with over the phone to expedite this prosecution.

Respectfully submitted,

By 
Edward P. Gamson, Reg. No. 29,381

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Enclosures

Form PTO/SB/08B and Art

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